

Appl. No.: 09/963,844

APP 1304

Amdt. Dated: August 15, 2006

Reply to Office Action of: February 15, 2006

Amendments to the Drawings:

The Examiner objected to Figure 5 because the words in originally filed Figure 5 were too small to read. Applicants have replaced Figure 5 with Figures 5a, 5b, and 5c which are nothing more than a larger version of original Figure 5 spread out over 3 sheets. These three replacement sheets are attached to these papers. Applicants have not made any changes to the content of Figure 5.

Attachment: 3 Replacement Sheets (Figures 5A, 5B, 5C)

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REMARKS/ARGUMENTS

Applicants have amended the Specification as set forth above in order to reflect that Figure 5 as been replaced by Figures 5a, 5b and 5c. The Examiner objected to Figure 5 because the words in originally filed Figure 5 were too small to read. Applicants have replaced Figure 5 with Figures 5a, 5b, and 5c which are nothing more than a larger version of original Figure 5 spread out over 3 sheets. These three replacement sheets are attached to these papers. Applicants have not made any changes to the content of Figure 5.

The Examiner has rejected claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by United States Patent 6,708,036 by (Proctor et al. (the "036"). Applicants respectfully traverse the Examiners rejection because the cited reference is the patent issued from the application cross-referenced in the opening paragraph of this present specification. Pursuant to 37 CFR 1.78, this cross-reference application (which is commonly owned by Telcordia Technologies, for which Mr. Paul Proctor is a common inventor in these two applications), is entitled to receive the benefit of the earlier filing date. Therefore, '036 is not a valid prior art reference under 35 USC 102(e). In addition, Applicants respectfully disagree with the Examiner that the system and method claimed in the present application is anticipated by the '036 specification. While the specifications of the two documents contain many similarities, the present application contains matter which is distinct from the '036 patent. Specifically, the '036 patent describes a method for automatically configuring and adjusting sector sizes for a cellular telephone system comprised of base stations interconnected by a packet network. However the present application teaches and discloses a method and system for automatically configuring the patent network when a new base station is added to the patent network.

In the Examiner's justification of the rejection of Claim 1, the Examiner cited to column 5 lines 55-57 and column 10 lines 39-40 as anticipating or teaching the step of --the second base station automatically identifying the first base station as -- as recited in independent claim 1. Neither of those cited sections of the '036 patent teach or suggest anything similar to this step of the applicants claimed inventions. Applicants don't understand the applicability of lines 55-57 in Column 5. With respect to lines 39 and 40 of Column 10, this section only states that the invention can be for automatic configuration. However the automatic configuration in the context of the '036 application is the configuration of the cell sector sizes not the configuration of the packet network

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interconnecting the base stations as described and claimed by the applicants in the present application.

Accordingly, applicants respectfully suggest that the '036 reference was improperly cited as prior art and moreover it does not teach or suggest applicants' novel methods and systems as set forth in claims 1-20. Applicants submit that these claims are clearly allowable. Favorable reconsideration and allowance of these claims are therefore requested.

Applicants earnestly believe that this application is now in condition to be passed to issue, and such action is also respectfully requested. However, if the Examiner deems it would in any way facilitate the prosecution of this application, he is invited to telephone applicants' agent at the number given below.

A petition for a three-month extension of time is enclosed herewith.

Respectfully submitted,
Telcordia Technologies, Inc.

By: 

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Attachments:

(3) Replacement sheets for Figure 5
Petition for three-month extension of time